

1                               BEFORE THE  
2                               ILLINOIS COMMERCE COMMISSION

3  
4                               BENCH SESSION

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7                               Springfield, Illinois  
8                               Wednesday, July 29, 2009

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11                   Met, pursuant to notice, at 10:30 a.m. in  
12                   Hearing Room A, First Floor, Leland Building, 527  
13                   East Capitol Avenue, Springfield, Illinois

14  
15                   PRESENT:

16                   MR. CHARLES E. BOX, Chairman

17                   MS. LULA M. FORD, Commissioner

18                   MS. ERIN M. O'CONNELL-DIAZ, Commissioner

19                   MR. SHERMAN J. ELLIOTT, Commissioner

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21  
22                   SULLIVAN REPORTING COMPANY, by  
                    Carla J. Boehl, Reporter

1      CSR #084-002710

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1 in favor say aye.

2 COMMISSIONERS: Aye.

3 CHAIRMAN BOX: Any opposed?

4 The vote is 4-0 approving the minutes.

5 We will be holding Item RR-1 which is

6 Docket T07-0073 and T08-0154 Consolidated.

7 Items RR-2 through RR-7 and RR-9

8 through RR-16 will be taken together. These matters

9 are stipulated agreements to make numerous rail

10 crossing improvements throughout the State of

11 Illinois. Over \$2.5 million in the Grade Crossing

12 Protection Fund will be used. Staff recommends

13 entering the orders granting the stipulated

14 agreements.

15 Is there a motion to enter the order?

16 COMMISSIONER O'CONNELL-DIAZ: So moved.

17 CHAIRMAN BOX: Is there a second?

18 COMMISSIONER ELLIOTT: Second.

19 CHAIRMAN BOX: Moved and seconded. All in

20 favor say aye.

21 COMMISSIONERS: Aye.

22 CHAIRMAN BOX: Any opposed? Vote is 4 to 0.

1 The stipulated agreements are entered.

2 We will use this 4-0 roll call for the  
3 remainder of the Transportation agenda unless  
4 otherwise noted.

5 Item RR-8 is Docket T09-0060. This  
6 matter is a petition to installed an at-grade  
7 pedestrian crossing over tracks owned by the Illinois  
8 Central Railroad Company in the village of Savoy,  
9 Champaign County. No Grade Crossing Protection Funds  
10 will be used. Administrative Law Judge Jackson  
11 recommends entering the order granting the petition.  
12 Is there any discussion? Any objections? Hearing  
13 none, the order is entered.

14 Items RR-17 and RR-18 will be taken  
15 together. These are requests for an extension of  
16 time to complete railway crossing improvements.  
17 Administrative Law Judge Jackson and Staff recommend  
18 entering the third supplemental orders. Is there any  
19 discussion? Any objections? Hearing none, the third  
20 supplemental orders are entered.

21 Moving on to the Motor Carrier  
22 Section, Items MC-1 through MC-4 will be taken

1 together. These are stipulated settlement agreements  
2 with for-hire motor carriers operating without  
3 Commission authority. Staff recommends accepting the  
4 stipulated settlement agreements. Is there any  
5 discussion? Any objections? Hearing none, the  
6 stipulated agreements are accepted.

7 Item MC-5 is an application by  
8 Jonathan MacIntyre for renewal of his operator's  
9 employment permit. Administrative Law Judge Jackson  
10 recommends entering the order granting the  
11 application. Is there any discussion? Any  
12 objections? Hearing none, the order is entered.

13 Items MC-6 through MC-8 will be taken  
14 together. These are applications for renewal of  
15 commercial relocators' licenses. Staff recommends  
16 granting the renewals. Is there any discussion? Any  
17 objections? Hearing none, the renewals are granted.

18 There is one administrative matter on  
19 today's agenda. AM-1 is a Revised 5-year plan for  
20 rail crossing improvements. Staff recommends  
21 approving the plan. Is there any discussion?  
22 Objections? Hearing none, the plan is approved.

1                   And that concludes the Transportation  
2   portion of today's agenda.  Ms. Kelly, is there  
3   anything else to come before us today?  
4                   MS. KELLY:  That's all.  Thank you.  
5                               (Whereupon the meeting  
6                               concluded matters pertaining to  
7                               Transportation.)  
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1 (Whereupon the meeting  
2 turned to Public Utility  
3 matters.)

4 CHAIRMAN BOX: Now moving on to the Public  
5 Utility agenda. We have minutes to approve from the  
6 June 4 and July 8, 2009, bench sessions and the June  
7 29, 2009, special open meeting. Is there a motion to  
8 approve the minutes?

9 COMMISSIONER ELLIOTT: So moved.

10 CHAIRMAN BOX: Is there a second?

11 COMMISSIONER O'CONNELL-DIAZ: Second.

12 CHAIRMAN BOX: It's been moved and seconded.  
13 All in favor say aye.

14 COMMISSIONERS: Aye.

15 CHAIRMAN BOX: Any opposed? The vote is 4-0  
16 approving the minutes.

17 We are holding Item E-10, and Item T-4  
18 has been withdrawn.

19 We will begin with the Electric  
20 agenda. E-1 (09-0342) concerns implementation of the  
21 new Section 16-115D of the Public Utilities Act which  
22 applies to renewable portfolio standards for ARES.



1 The Commission is required to establish alternative  
2 compliance payment rates. The order establishes the  
3 rates based on the recently-concluded REC procurement  
4 for Commonwealth Edison Company and the Ameren  
5 Illinois Utilities. Staff recommends entering the  
6 order. Is there a motion to enter the order?

7 COMMISSIONER ELLIOTT: So moved.

8 CHAIRMAN BOX: Is there a second?

9 COMMISSIONER O'CONNELL-DIAZ: Second.

10 CHAIRMAN BOX: It's been moved and seconded.

11 All in favor say aye.

12 COMMISSIONERS: Aye.

13 CHAIRMAN BOX: Any opposed? The vote is 4-0.

14 The order is entered. We will use this 4-0 roll call  
15 vote for the remainder of the Public Utility agenda  
16 unless otherwise noted.

17 Items E-2 and E-3 will be taken  
18 together. These are QF buy-back rates for Mt. Carmel  
19 Public Utility Company and MidAmerican Energy Company  
20 under PURPA. Staff recommends not suspending the  
21 filings. Is there any discussion? Any objections?  
22 Hearing none, the filings are not suspended.

1                   Item E-4 is Docket 08-0174. This  
2     concerns a proposal by Ameren Illinois Transmission  
3     Company and the three Ameren Illinois utilities  
4     engaged in borrowing from corporate parent Ameren  
5     Corporation and/or pursuant to the Ameren Utility  
6     Money Pool Agreement. Petitioners have moved to  
7     withdraw the portion of the request involving the  
8     money pool arrangement. Administrative Law Judge  
9     Albers recommends entering the order granting the  
10    motion to withdraw. Any discussion? Any objections?  
11    Hearing none, the order is entered.

12                  Items E-5 and E-8 will be taken  
13    together. These cases involve storm damage  
14    Commonwealth Edison experienced in 2008. Recent  
15    changes in the statutes have rendered these cases  
16    moot and the utility has moved to dismiss.  
17    Administrative Law Judge Hilliard recommends granting  
18    the motions to dismiss without prejudice. Is there  
19    any discussion? Any objections? Hearing none, the  
20    motions are granted without prejudice.

21                  Item E-6 is Docket 08-0481. This  
22    matter concerns interconnection standards for

1 generators larger than 10 MVA but smaller than or  
2 equal to 20 MVA. The Commission entered a second  
3 notice order on April 22, 2009, but the Joint  
4 Committee on Administrative Rules has yet to act.  
5 Administrative Law Judge Sainsot recommends entering  
6 the order to extend the Commission's internal  
7 deadline to February 10, 2010. Is there any  
8 discussion? Any objections? Hearing none, the order  
9 is entered.

10 Item E-7 is Docket 08-0509. This is  
11 the complaint by Jim Fischer against AmerenCILCO.  
12 The order finds that the complainant did not prove  
13 his case. Administrative Law Judge Tapia recommends  
14 entering the order denying the complaint. Is there  
15 any discussion? Any objections? Hearing none, the  
16 order is entered.

17 Item E-9 is Docket 08-0548. This is a  
18 rulemaking to implement Section 16-115C of the Act  
19 which requires agents, brokers and consultants, also  
20 known as the ABCs, to be licensed. Administrative  
21 Law Judge Yoder recommends entering the order  
22 authorizing the submission of the second notice

1 period to the Joint Committee on Administrative  
2 Rules.

3 I have circulated various amendments  
4 to this order and I think all of the Commissioners  
5 have recommended certain changes and amendments, and  
6 these modifications go to the definitions of attempts  
7 to procure and attempts to sell, taking into account  
8 the concerns of the suppliers and Blue Star Energy,  
9 and the revised definitions also are more in keeping  
10 with the plain language and the purpose of the Act.  
11 And on behalf of all of the Commissioners I offer  
12 these revisions toward that end. Is there any  
13 discussion on the proposed revisions? Is there a  
14 motion?

15 COMMISSIONER FORD: So moved.

16 CHAIRMAN BOX: Is there a second?

17 COMMISSIONER O'CONNELL-DIAZ: Second.

18 CHAIRMAN BOX: It has been moved and seconded.

19 All in favor say aye.

20 COMMISSIONERS: Aye.

21 CHAIRMAN BOX: Any opposed? The vote is 4-0  
22 approving the amendments.

1           COMMISSIONER O'CONNELL-DIAZ:  Chairman, I would  
2   just like to thank all of our staff.

3           CHAIRMAN BOX:  Okay, before you do that, is  
4   there a motion to enter the order as amended?

5           COMMISSIONER ELLIOTT:  So moved.

6           CHAIRMAN BOX:  Is there a second?

7           COMMISSIONER O'CONNELL-DIAZ:  Second.

8           CHAIRMAN BOX:  It has been moved and seconded  
9   to enter the order as amended.  All in favor say aye.

10          COMMISSIONERS:  Aye.

11          CHAIRMAN BOX:  Any opposed?  The vote is 4-0 to  
12   enter the order as amended and the second notice  
13   period is initiated and the rule will be sent to the  
14   Joint Committee on Administrative Rules.

15                       Commissioner O'Connell-Diaz.

16          COMMISSIONER O'CONNELL-DIAZ:  I just would like  
17   to note that our staff worked very hard on these  
18   edits.  I think it clarifies the order as the  
19   Commission received it and approved it, and I know  
20   they all worked in concert on it.  So I would like to  
21   thank all of our staff assistants for doing that for  
22   us.

1 CHAIRMAN BOX: Further comments?

2 As indicated, we are holding Item

3 E-10.

4 Item E-11 is Docket 09-0065. This

5 matter concerns a request by FirstEnergy Solutions

6 Corporation for proprietary treatment of its 2008

7 kilowatt hour report. The Commission originally

8 granted a request for five years although recent

9 practice has been to allow confidentiality for only

10 two years. Administrative Law Judge Yoder recommends

11 that the Commission consider reopening this docket to

12 direct the administrative law judge to gather

13 additional information regarding the correct time

14 limit for confidentiality. Is there any discussion?

15 Is there a motion to reopen Docket 09-0065?

16 COMMISSIONER ELLIOTT: So moved.

17 CHAIRMAN BOX: Is there a second?

18 COMMISSIONER O'CONNELL-DIAZ: Second.

19 CHAIRMAN BOX: It's been moved and seconded.

20 All in favor say aye.

21 COMMISSIONERS: Aye.

22 CHAIRMAN BOX: Opposed? Vote is 4-0 to reopen

1 Docket 09-0065. The administrative law judge is  
2 directed to gather additional information regarding  
3 the appropriate time limit for confidentiality of  
4 FirstEnergy's annual 2008 kilowatt hour report.

5 Item E-12 is Docket 09-0257. This is  
6 an uncontested service territory adjustment between  
7 Illinois Rural Electric Cooperative and AmerenCIPS.  
8 Administrative Law Judge Yoder recommends entering  
9 the order granting the petition. Is there any  
10 discussion? Any objections? Hearing none, the order  
11 is entered.

12 That concludes the Electric portion of  
13 today's agenda.

14 Turning to the Natural Gas portion,  
15 Item G-1 is Docket 08-0390. This matter is a billing  
16 dispute between Norma Hines against Peoples Gas,  
17 Light and Coke Company. The order sustains the  
18 complaint in part and denies the complaint in part.  
19 Administrative Law Judge Gilbert recommends entering  
20 the order. Is there any discussion? Any objections?  
21 Hearing none, the order is entered.

22 Item G-2 is Docket 08-0596. Albert

1 Zamora alleged that the Illinois Northern Gas Company  
2 improperly shut off his service. The complainant did  
3 not appear at two of the four status hearings and his  
4 service has been restored. Administrative Law Judge  
5 Benn recommends dismissing this docket for want of  
6 prosecution with prejudice. Is there any discussion?  
7 Any objections? Hearing none, the docket is  
8 dismissed with prejudice.

9 Item G-3 is Docket 09-0253. This is a  
10 complaint by Saul Diaz against Illinois Energy  
11 Savings Corporation. The parties have settled and  
12 move to dismiss. Administrative Law Judge Kimbrel  
13 recommends dismissing this docket with prejudice. Is  
14 there any discussion? Any objections? Hearing none,  
15 the docket is dismissed with prejudice.

16 That concludes the Natural Gas portion  
17 of today's agenda.

18 Turning to the Telecommunications  
19 portion, Item T-1 concerns a filing by Illinois Bell  
20 Telephone Company. Petitioners are seeking to extend  
21 the effectiveness of the grandfathered service to  
22 December 31, 2009. These filings are competitive for



1 retail and non-competitive for wholesale. Staff  
2 recommends not investigating or suspending the  
3 filings. Is there any discussion? Any objections?  
4 Hearing none, the filings will not be investigated or  
5 suspended.

6 Items T-2 and T-3 will be taken  
7 together. Verizon North, Inc., and Verizon South,  
8 Inc., are introducing a new business package service.  
9 These are classified as non-competitive. Staff  
10 recommends not suspending the filings. Is there any  
11 discussion? Any objections? Hearing none, the  
12 filings are not suspended.

13 Item T-4 has been withdrawn.

14 Items T-5 through T-7 and T-9 will be  
15 taken together. These are petitions for  
16 certifications for modifications to existing  
17 certificates of various telecommunications providers.  
18 The administrative law judge is recommending entering  
19 the orders granting the certificates or modifications  
20 to existing certificates. Is there any discussion?  
21 Any objections? Hearing none, the orders are  
22 entered.

1                   Item T-8 is Docket 09-0278. This  
2     matter is a petition by Public Wireless, Inc., to  
3     withdraw its application for authority to provide  
4     various telecommunication services. Administrative  
5     Law Judge Benn recommends granting the motion to  
6     withdraw without prejudice. Is there any discussion?  
7     Any objections? Hearing none, the motion to withdraw  
8     is granted.

9                   Items T-10 and T-11 will be taken  
10    together. These matters concern petitions to  
11    withdraw or cancel certificates of authority.  
12    Administrative Law Judge Benn recommends entering the  
13    orders granting the request. Is there any  
14    discussion? Any objections? Hearing none, the  
15    orders are entered.

16                  Item T-12 is Docket 06-0119. This is  
17    a complaint by Annette Amelkovich against AT&T  
18    Illinois which has already addressed most of the  
19    complainant's concerns. However, the complaint also  
20    sought financial restitution for time, aggravation  
21    and credit damage. The Commission has no authority  
22    to award such damages. Therefore, the order is to

1 dismiss this complaint with prejudice.

2 Administrative Law Judge Riley recommends entering  
3 the order. Is there any discussion? Any objections?  
4 Hearing none, the order is entered.

5 Item T-13 is Docket 09-0284. The  
6 County of Randolph, Illinois, seeks to modify its  
7 9-1-1 system. Administrative Law Judge Jones  
8 recommends entering the order granting the petition.  
9 Is there any discussion? Any objections? Hearing  
10 none, the order is entered.

11 Item T-14 is Docket 09-0298. This is  
12 a petition by the Universal Telephone Assistance  
13 Corporation to determine the amount and form of  
14 supplemental assistance provided to LECs.  
15 Administrative Law Judge Yoder recommends entering  
16 the order granting the requested relief. Is there  
17 any discussion? Any objections? Hearing none, the  
18 order is entered.

19 Item T-15 is Docket 09-0300. Illinois  
20 Bell Telephone Company is seeking to require new  
21 customers with unsatisfactory credit to make an  
22 advance payment instead of a security deposit. To do

1     so the petitioner has requested waiver of the  
2     Commission regulations. Staff and the Attorney  
3     General have indicated a desire to investigate this  
4     matter. Administrative Law Judge Sainsot recommends  
5     entering the order commencing an investigation. Is  
6     there any discussion? Any objections? Hearing none,  
7     the order is entered.

8                     Item T-16 is Docket 09-0255. This is  
9     a new interconnection agreement between Illinois Bell  
10    Telephone Company and Midwestern Telecommunications,  
11    Inc. Administrative Law Judge Benn recommends  
12    entering the order approving the agreement. Is there  
13    any discussion? Any objections? Hearing none, the  
14    order is entered.

15                    That concludes the Telecommunications  
16    portion of today's agenda.

17                    Turning to the Water and Waste Water  
18    portion, W-1 is Docket 09-0289. Sundale Utilities,  
19    Inc., has a petition for authority to issue \$367,752  
20    in new debt to refinance existing debt.  
21    Administrative Law Judge Tapia recommends entering  
22    the order approving the request. Is there any

1 discussion? Any objections? Hearing none, the order  
2 is entered.

3 Item W-2 is Docket 08-0439.

4 Illinois-American Water Company has petitioned for a  
5 certificate of public convenience and necessity to  
6 serve certain parts of Champaign County that it is  
7 not already serving. Administrative Law Judge Jones  
8 recommends entering the order granting the  
9 certificates. Is there any discussion? Any  
10 objections? Hearing none, the order is entered.

11 That concludes the Water and Waste  
12 Water portion of the agenda.

13 Under Miscellaneous on today's agenda  
14 Item M-1 is Docket 09-0081. This is a rulemaking to  
15 implement minimum safety standards for transportation  
16 of gas and for gas pipeline facilities. The Joint  
17 Committee on Administrative Rules has issued a  
18 certificate of no objection. It is entering the  
19 second notice period. The rule may now go into  
20 effect. Administrative Law Judge Benn recommends  
21 entering the order adopting the rule's amendment with  
22 an effective date of August 15, 2009. Is there any

1 discussion? Any objections? Hearing none, the order  
2 is entered.

3 Under Petitions for Rehearing, Item  
4 PR-1 is Docket 09-0569 in which AT&T Illinois seeks  
5 to reclassify as competitive several of its MSAs  
6 outside of MSA-1. The Attorney General has  
7 petitioned to rehear the Commission's decision on  
8 measured services. Administrative Law Judge Yoder  
9 recommends denying the AG's petition. Is there any  
10 discussion? Is there a motion to deny the Attorney  
11 General's petition?

12 COMMISSIONER O'CONNELL-DIAZ: So moved.

13 CHAIRMAN BOX: Is there a second?

14 COMMISSIONER FORD: Second.

15 CHAIRMAN BOX: It's been moved and seconded.

16 All in favor say aye.

17 COMMISSIONERS: Aye.

18 CHAIRMAN BOX: Opposed? The vote is 4-0. The  
19 Attorney General's petition for rehearing is denied.

20 AT&T Illinois has petitioned for  
21 rehearing of the Commission's decision to condition  
22 its approval on AT&T Illinois expanding the

1 availability of DSL services in the greater Illinois  
2 MSAs. Administrative Law Judge Hilliard recommends  
3 either eliminating the condition by issuing an  
4 amended order or granting AT&T's petition to rehear  
5 the issue on the DSL conditions. Is there any  
6 discussion? Is there a motion to grant AT&T's  
7 petition for rehearing on the conditions?

8 COMMISSIONER O'CONNELL-DIAZ: So moved.

9 CHAIRMAN BOX: Is there a second?

10 COMMISSIONER ELLIOTT: Second.

11 CHAIRMAN BOX: It's been moved and seconded.

12 All in favor say aye.

13 COMMISSIONERS: Aye.

14 CHAIRMAN BOX: Opposed? The vote is 4-0.

15 AT&T's petition for rehearing on the conditions is  
16 granted.

17 The last item on the agenda is a  
18 second quarter report by Liberty Consulting Group on  
19 the People's Gas Pipeline Safety Program. The report  
20 addresses People's Gas' progress in addressing 66  
21 recommendations for improvement. Staff recommends  
22 that the Commission accept the report and direct

1 staff to post the report on the Commission's website.  
2 Is there a motion to accept the report and post it on  
3 the Commission's website?  
4 COMMISSIONER ELLIOTT: So moved.  
5 CHAIRMAN BOX: Is there a second?  
6 COMMISSIONER FORD: Second.  
7 CHAIRMAN BOX: It has been moved and seconded.  
8 All in favor say aye.  
9 COMMISSIONERS: Aye.  
10 CHAIRMAN BOX: Any opposed? The vote is 4-0  
11 the report accepted and will be posted on the  
12 website.  
13 Judge Wallace, anything else to come  
14 before us today?  
15 COMMISSIONER FORD: Actually, I wanted to hear  
16 the report summary.  
17 CHAIRMAN BOX: You have a summary of the  
18 report? I am sorry.  
19 MR. BURK: Good morning. I am Darin Burk, the  
20 manager of the Pipeline Safety Department, and I have  
21 prepared a summary of what's going on in the Liberty  
22 report. I am going to cover the months March through



1 May. Liberty verifications are completed for three  
2 of the 66 recommendations, primarily developing an  
3 implementation of the procedure for sealing these  
4 joints, approved inside safety inspection procedures  
5 and training, and modified pre-qualifications.  
6 Liberty confirmed progress towards implementation of  
7 22 recommendations, although they are not completed.  
8 They have unacceptable progress towards three of the  
9 recommendations. Now, Liberty has not determined the  
10 progress towards the implementation of 38  
11 recommendations.

12                   Upon completion of the first quarter  
13 report I met with People's Gas, mainly because  
14 Commissioner Ford expressed concerns of the pace of  
15 their implementation. People's Gas now considers 29  
16 recommendations complete. Liberty has not completed  
17 their assessment and will not consider those complete  
18 until they have verified the implementation and that  
19 the processes are in fact working. They do report  
20 significant progress towards 31 recommendations.  
21 This is People's Gas stating this. Pipeline safety  
22 staff, along with People's Gas, is in the process of

1 field verifying, checking on the records.

2                   They admit little or no progress  
3 towards six of the recommendations, but we will be  
4 following up on that as we go forward.

5           CHAIRMAN BOX: I have one question for you.  
6 When you say six little or no progress, is there a  
7 reason for that? Is it timing or what is it?

8           MR. BURK: Part of it is working with the City  
9 of Chicago and the digger. That covers two of them.  
10 Training for municipal employees as far as damage  
11 prevention, that's another one that they have offered  
12 the training but they have had no one attend. So far  
13 it's slow. That's kind of out of their control. We  
14 are looking into maybe methods of persuading the  
15 City, meaning the CDOT and the water department, to  
16 encourage them to participate in that.

17                   Others are related to methodic  
18 protection issues on testing and electrical isolation  
19 of carrier pipe from casing pipe. And then others  
20 are just training guidelines that need to be  
21 developed and implemented. So overall the true  
22 safety-related issues as we find critical are being

1 addressed.

2 COMMISSIONER ELLIOTT: What are the three  
3 unacceptable progress that Liberty pointed out? Do  
4 you know those?

5 MR. BURK: Okay, unacceptable progress was cast  
6 iron replacement policies. They need to rewrite  
7 their policies as far as how they choose their cast  
8 iron replacement projects. Development and implement  
9 of training for the Chicago municipal workers and  
10 contractors, and development and implement of a  
11 procedure for monitoring directional boring  
12 activities. Again, they have to work with the City  
13 and the digger on that issue as well.

14 CHAIRMAN BOX: On the first one you said the  
15 whole thing of, would that be so much prioritizing  
16 cast iron replacement?

17 MR. BURK: Yes.

18 CHAIRMAN BOX: Because that was one of the  
19 issues, I think, in a former rate case where they  
20 asked for a rider to recoup that money. One of the  
21 reasons we said no was the fact that there was no  
22 schedule or design or layout of when those

1 improvements or replacements would be made in order  
2 for that rider to be put into effect. So you would  
3 think they would comply with that one above and  
4 beyond any of the others.

5 MR. BURK: We are hoping they make some  
6 improvements. But the current method is using a main  
7 ranking index system along with public improvement  
8 projects in the city of Chicago. Unfortunately, I  
9 have been told that the downturn in the economy is  
10 going to require them to reduce their replacement  
11 progress from 46 miles a year to down around 16.  
12 They just don't have the money to invest in the  
13 system, according to what I have been told in these.  
14 I am working with a vice president of operations to  
15 see if we can alter that schedule.

16 COMMISSIONER O'CONNELL-DIAZ: Darin, is there a  
17 schedule that the company is aware that we want  
18 compliance by and that you have had how many audits  
19 with other companies and we have gotten a schedule  
20 and pretty well stuck with the schedule?

21 MR. BURK: We have an outline for compliance of  
22 each recommendation that People's has committed to.

1 Of course, things come up and they fall behind. But  
2 it is implemented based on this schedule agreed to  
3 between our department, Liberty and People's Gas.

4 COMMISSIONER FORD: But most of the problems  
5 occur when they have collaborated with the City.

6 MR. BURK: That's where most of the delays are  
7 right now, yes.

8 COMMISSIONER FORD: The next time I see the  
9 mayor, I will tell him that.

10 MR. BURK: I would appreciate that.

11 CHAIRMAN BOX: Can I be notified when you are  
12 about to make that statement?

13 Anything further? Any other  
14 questions? Thank you very much.

15 Judge Wallace, anything else to come  
16 before us today?

17 COMMISSIONER FORD: Thank you, Mr. Burk.

18 MR. WALLACE: No, Mr. Chairman.

19 CHAIRMAN BOX: We have an eleven o'clock today.  
20 That's about a five-minute break. We have the  
21 electric policy committee meeting to address the  
22 pending applications by Commonwealth Edison Company

1     and the Ameren Illinois Utilities for the stimulus  
2     funding under the American Recovery and Investment  
3     Act.   If nothing further here, we will adjourn for  
4     about five minutes.   We will reconvene at that time.

5                   COMMISSION BENCH SESSION ADJOURNED

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